

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK BURKET, et al.,
JENNIFER ADAMS, et al.,
WILLIAM CLIFF, et al.,

CIVIL ACTION NOS. 05-72110
 05-72171
 05-72221

Plaintiffs,

VS.

DISTRICT JUDGE PATRICK J. DUGGAN

HYMAN LIPPITT, P.C.,
et al.,

MAGISTRATE JUDGE MONA K. MAJZOUN

Defendants.

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OPINION AND ORDER DENYING MOTION FOR RECONSIDERATION

These matters come before the Court on the Hyman Lippitt Defendants' Motion for Reconsideration of Motion to Extend Number of Interrogatories filed on August 23, 2007. (Docket no. 229).¹ Pursuant to this Court's local rules, motions for reconsideration that "merely present the same issues ruled upon by the court" will not be granted. E.D. Mich. LR 7.1(g). In addition, "[t]he movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case." (*Id.*). A "palpable defect" is a defect which is obvious, clear, unmistakable, manifest, or plain. *Guaranty Residential Lending, Inc. v. Homestead Mortgage Co.*, 2006 WL 2711815 at *1 (E.D. Mich. Sept. 21, 2006). A motion for reconsideration cannot be used to introduce new evidence that could have been introduced during the pendency of the underlying motion. *Id.*

¹ Citations to the record will be to case number 05-CV-72110 unless otherwise indicated.

The Court finds that Plaintiff has failed to show a palpable defect or that the correction of any palpable defect would result in a different disposition of the motion. The motion for reconsideration will therefore be denied.

IT IS THEREFORE ORDERED that the Hyman Lippitt Defendants' Motion for Reconsideration (No. 05-72110, docket no. 229; No. 05-72171, docket no. 234; No. 05-72221, docket no. 204) is **DENIED**.

NOTICE TO THE PARTIES

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: August 27, 2007

s/ Mona K. Majzoub
MONA K. MAJZOUB
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I hereby certify that a copy of this Opinion and Order was served upon Counsel of Record on this date.

Dated: August 27, 2007

s/ Lisa C. Bartlett
Courtroom Deputy